File No. 25/26

1926.

Collection No.

11

9/6/67 Mas 9-6-47

Mysore Residency

Pros. Serial Nos. 1 – 16

Subject.

Kayamgutta of Doddigunta

Claim for remission and refund of gutta dues to
Govt by Mr A M. Ramamurthy
Introduction of Settlement rates in the —

Previous References.

F 1287/25

Later References.

MG1PC—FP—465DCFMis.—(3733)—20-11-25—85,000.

Petition, read on the 16th Jan? 26, from

S.1 Mr. A. M. Ramamurthy.

(1) If approved, the C. no. may be forwarded to the collector for favour of remarks.

Draft submd.

C.no. 16/1/26 [illegible] 21/1

S.2 Issued no. 681 & 23. 1. 1926.

(2) Draft reminder submd.

C.no. 15/2/26. [illegible] 15/2

Issued

Reminder

Issued no 1467 & 16 2. 26.

S.3 Petition, dated the 8th March 26, from Mr. A.M. Ramamurthy

The petition presented on the 16th January 1926

(3) has been forwarded to the collector of his remarks.

S.2 A reminder was issued to him on 16. 2. 26.

flagP The P. no. may be sent to the collector for necessary action.

Draft submd.

C.no. 8/3/26. [illegible] 8/3

Issue

S.4 Issued no. 2141 & 9. 3. 26

S.5 | letter No 409/26, dated the 1st April 1926, from the Collector, C.M. Station.

(4) Please see Sls. 2 & 4.

The petitioner, dated the 16th January 1926 and the 8th March 1926, have been sent to the Collector.

The Collector states that it is not necessary to hold over collection of the amount, but that he has no objection if the Resident wishes it to be done.

Submitted for orders.

C.A.S.
9/4/26.

(5) Without the petitioners & Collector's report, nothing can be done. The Collector may be asked to expedite his report.

V.S.
10/4

Yes
11/8
11.4.26

Draft submitted

C.A.S.
12/4/26.

V.S.
12/4

S.6. | Issued vide 3309 & 13. 4 26

(6) Please see Sls. 5 and 6.

The report of the Collector has not yet been received.

He may be reminded.

Draft submitted

C.A.S.
10/4/27.

V.S.
10/3

[redacted]

sl.7

Letter No.402-D- 26, dated 21.5.27, from the Collector

Please see sl.1
Draft for approval.

31. 5. 27

S.8

Issued No. 6046 D/ 28-6-1927

Please see sl.8 of which a copy may be sent to the Collector as it is possible the collection of the assessment may have been held over in view of the reference to this office(vide sls.5 & 6). The Collector has received a copy of sl.6/187-25.

Draft submtd.

2. 8. 27

S.9

Issued No. 7988 D/ 5- 8-27

sl.10 **Letter No.4278/D-25, dated 13.9.27, from the Collector**

Please see the last sentence of para 5 sl.7, and encl. VI to that serial. The sum has been deposited by the kayamguttadar and formal sanction to the entertainment of the measurer is applied for, which may be conveyed.

Draft submtd.

16.9.27 16/9 17.9.27

S.11 Issued no. 9616 of 20-9-27

sl.13 **Lett er No.4278-D-25, dated 24.9.27, from the Collector**

Please see sl.11

Draft submtd.

20.9.27 28/9

S.14. Issued nos 10041 - 10043 of 30.9.27

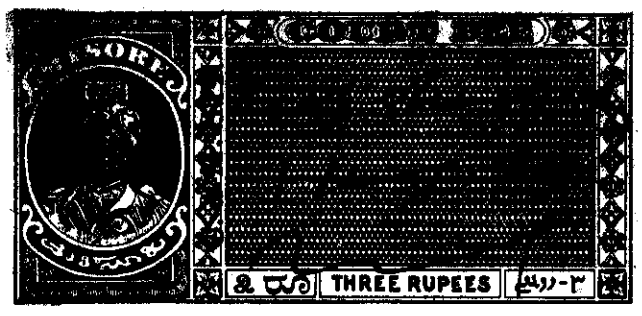
S.N.17 | From the Collector, C & M Station, Bangalore, 4278, dated 18-9-29

Draft submitted.

C.V. Ramanathan · 27/9
27.9.29

S.N. 18 | Issued No. 8412, dated the ~~10th~~ 3rd October, 1929.

RESIDENT'S OFFICE,
BANGALORE.
Register No. 4594
Date of Receipt 16.1.26
Petn. No. 487/25
16/1



TO THE HONOURABLE THE BRITISH RESIDENT IN MYSORE

AT BANGALORE.

The humble Petition of A. M. Ramamurthy, son of Rao Bahadur A. Maigandadeva Mudaliar No.2, Central Street, Bangalore, C & M Station, - Bangalore.

RESPECTFULLY SHEWETH

That your Petitioner is the present holder of the Kayamgutta Doddigunta village within the limits of the Civil and Military Station, Bangalore, which village, at one time, belonged to and formed one - of the items of the properties of the late Rao - Bahadur Arcot Narainswamy Mudaliar's family and was allotted to the share of your Petitioner, at a partition of the properties belonging to the said family. The said village was originally of very vast extent comprising, as it did, the areas now covered by what is known as Frazer Town, Richards Town, Cox Town and several other smaller extensions; but, on account of of acquisitions under the Land Acquisition Act, for purposes of extension of the Station limits as well as by the Station Municipality and the Military - authorities, the holding has now been reduced to - less than half its original extent.

Though these acquisitions were being made - from time to time, the Revenue Authorities of the Station have been, on their part, demanding the - Kayamgutta amount as it was originally assessed, - obviously ignoring the reduction in extent of the

holding

holding. The People in charge of the properties have, however, been protesting against payment of the full amount of Kayamgutta; but upon - assurances that the matter would be considered and adjustments made after survey settlement - is introduced into the village, the kayamgutta has been paid under protest from time to time.

It is unnecessary for the present purposes to refer to very old correspondence on - the subject, but as long ago as 1913, by their endorsement No.1126 dated 20-3-1913, the Revenue authorities informed Messrs. A. Narayanaswamy - Mudaliar and Co.,(the then proprietors of the - village and the predecessors-in-title of your - Petitioner) that all outstanding questions would be taken up after the introduction of the settlement in the village. The Petitioner also finds that repeated references have been made by the - kayamguttadars for the introduction of Survey - Settlement in the village,and the question has been as often allowed to lie over.

More than half the village has been acquired under the Land Acquisition Act, and - though the claim for refund is based on the - fundamental principle of law, that, when the - subject matter of a holding is dimunished, the assessment or revenue payable has also to be - proportionately reduced, and though it is otherwise just and equitable that rebate should be - given, and though, from time to time, assurances have been given that the matter would be considered, the Revenue Department has been, time and again, making the same demand for the amount of

kayamgutta

kayamgutta as originally fixed. Your Petitioner craves leave to refer in this connection to the opinion of the Superintendent of Surveys in Mysore, who has emphatically declared that kayamguttadars are, in these circumstances, entitled to a proportionate reduction in the amount payable by them.

Your Petitioner has himself applied for the immediate introduction of Survey and Settlement in the village, and has been informed that the Survey Department in Mysore is being communicated with, and that steps will be taken at an early date for the needful being done.

In spite of all this, however, your Petitioner is being called upon to pay the sum of Rs. 526-3-6 alleged to be due as kayamgutta for the village, for the present financial year, and in answer to a communication he addressed in the matter dated 25-3-1925, the only reply that has been vouchsafed him is that the demand cannot be held in abeyance and that the question of remission is being dealt with separately. The misfortune of your Petitioner and his predecessors-in-title has always been that "the question of remission is being separately dealt with", but never dealt with.

The amount of refunds to which the kayamguttadar(your Petitioner) would be entitled, would be more than several times the amount that is now claimed, and your Petitioner prays, therefore, that the question of remission and refund may be ordered to be finally settled and final orders passed on the entire question once for all, and that, in the meantime, the collection of the present amount may be post-poned.

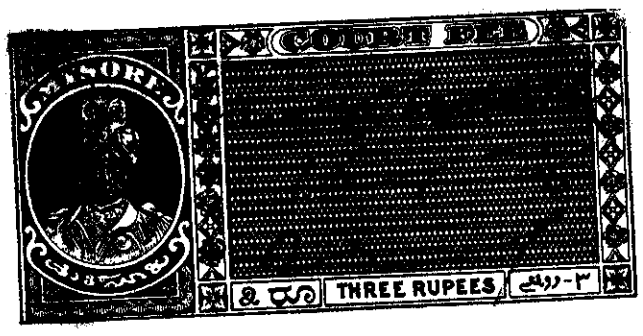
Your Petitioner further prays that, since

the

the collector has apparently passed final orders himself, the papers relating to this matter may be called for and final orders passed, for which act of kindness your petitioner will every pray.

BANGALORE
January 1926

Petitioner.



In the Court of the Hon'ble the British Resident in Mysore, Bangalore

CASE NO. OF 192 —192

Appellant ~~*Plaintiff*~~. *Respondent Defendant.*

Petitioner.

A. M. Ramachandra Iyer. } *Vs.* { .....

I Petitioner above named do, by these presents, retain MR. K. SHANKARA NARAYANA RAU, M.A., B.L., *Advocate*, MR. B. SHANKARA RAO, B.A., LL.B., and MR. K. V. SUBBA RAO, M.A., LL.B., to appear and conduct the above case on my behalf to judgment.

2. I further empower them to do all necessary acts in the above case, to execute any decree or order that may be passed in my behalf and to receive from the Court all documents, refunds, and all sums of money that I may be entitled to get and grant receipts therefor.

3. I also undertake to confirm and ratify all the acts done by the said Advocates or by any other Advocate on their behalf in so doing.

A. M. Ramachandra Iyer

BANGALORE,

.....192 .

Accepted.

M. Shankara Rao
Advocates.

Personally known to me and signed in my presence.

993-25 THE BANGALORE PRESS

VRR/813

BEFORE THE HON'BLE THE BRITISH RESIDENT IN MYSORE

AT BANGALORE.

RESIDENT'S OFFICE,
BANGALORE.
Register No. 2218
Date of Receipt 8.3.'26
File No. 25/26

The humble Petition of A. M. Ramamurthy - Mudaliar, son of Rao Bahadur A. Maigandadeva Mudaliar, No.2, Central Street, Bangalore.

Respectfully Sheweth,

That, in the matter of the Kayamgutta - amount due for the kayamgutta Doddigunta village, within the limits of the Civil and Military Station, Bangalore, your Petitioner submitted an - application to this Hon'ble Court on or about - the 16th January 1926 praying for a final consideration and settlement of the questions relating to a proportionate remission of part of the kayam- - gutta amount representing the area acquired for - the new extensions, such as, Frazer Town, Richards Town, Cox Town and several other smaller extensions, and refund of this proportionate kayamgutta amount which your Petitioner has been paying, under protest, all these years, subsequent to the date of such acquisitions.

The above application has not yet been - disposed of, and in the meanwhile, the Collector - C & M Station, has now issued to your Petitioner a notice calling upon him to pay up the entire

sum

12

sum of Rs.526-3-6 immediately, threatening him with coercive measures in the event of nonpayment.

Your Petitioner begs to submit that such a demand is unjust and illegal for the reason - that the amount claimed represents the kayamgutta for the entire area of the village, as it stood originally, when, in fact, the major portion of the village has been acquired for Government - and Municipal purposes. Furthermore, the excess amounts already collected from the Petitioner, to a refund of which he is legally entitled, will be several times the amount that is now being claimed annually.

Under these circumstances, the Petitioner prays, most respectfully, that immediate orders may kindly be issued to the Collector, - C & M Station, to stay further proceedings in the matter of the demand and collection of the amount of kayamgutta for the said Doddigunta - village, pending the disposal of the Petition referred to above.

BANGALORE)
8th March '26)

O V Ramanuja.

Advocate
for Petitioner

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 23/6/1926

Registered no 594

No. 68/ ENCLOS. 1

In original. Return requested

A copy of the marginally* noted ~~letter, with enclosure~~ petition, is forwarded to the Collector, C.M. Station, Bangalore, for favour of remarks.

*No. — dated rec'd on the 16th January 1926 from the M. A. M. Ramaswamy.

Sd/ K Evans Gordon

Secretary to the Resident.

P. O. 759, R. O. No. 26 —2-10-1925.—3,000—R. P. B.

IDENT'S OFFICE.
BANGALORE
Register No. 3051-K
Date of Receipt 2-4-1926

No.402/26.

Office of the Collector,
Civil & Military Station, Bangalore.

Dated 1st April 1926.

From

T. B. Russell, Esq., I.C.S.,
C o l l e c t o r,
C & M Station, Bangalore.

To

The Secretary to the Resident
in Mysore, Bangalore.

Sir,

S.L. Kayamgutta on Doddigunta Village - recovery of - Petition from Ramamurthy Mudaliar, A.M. (Mr) - Your No.2144 25-26 dated 9-3-1926.

The Kayamguttadar's claim for refund and remission of gutta is being examined and a report will be submitted shortly. I got back the connected papers from the Government Pleader only recently and hence the delay.

2. The validity of petitioner's claim is doubtful. He will of course get a refund, if eventually he is found entitled to it. In these circumstances I think it is hardly necessary to hold over collection but see no objection if Resident wishes this to be done.

3. I shall return the petitions along with my final report.

I have the honour to be,
Sir,
Your most obedient servant,

Collector.

1-4-26.

1 APR 1926

6

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 3209 ENCLOS. 25-1926. *Dated Bangalore, 13 April 1926.*

FROM

Major K. A. G. Evans Gordon,

SECRETARY TO THE RESIDENT IN MYSORE.

To

The Collector,
Civil & Military Station,
Bangalore.

Subject :—

Recovery of kayamgutta on Doddigunta village - Petition of Mr. A. M. Ramamurthy Mudaliar.

SIR,

Sl. 5. With reference to your letter No.402/26, dated the 1st April 1926, I am directed to request that your report may be expedited.

I have the honour to be,
Sir,
Your most obedient servant,

O/C 13-4-26

Major.
SECRETARY TO THE RESIDENT.

P.T.O.

BJ

No.402-D-26
Enc. I to VI.
(with two petitions)

Office of the Collector,
Civil and Military Station, Bangalore.
Dated the 21st May 1927.

From

T. B. Russell, Esq., I.C.S.,

Collector,

Civil & Military Station, Bangalore.

The Secretary to the Hon. the Resident in Mysore,

BANGALORE.

Sir,

Kayamgutta Doddigunta--Gutta due to Government--Kayamguttadar's claim for remission and refund of--Your Nos.681 dated 23rd January 1926 and 2141 dated 9th March 1926.

The main ground of complaint in the petition is that the Kayamguttadar is entitled to a reduction of the gutta or annual payment to Government, owing to the fact that lands have been acquired by Government in the village. A similar claim has been put forward by the Kayamguttadar of Baderhalli. Vide your No.4581 dated 25-5-1926. I am submitting to-day my report on this case also, so that both cases, which are of a similar nature, may be considered together. In para 6 of my letter No.4335/25 dated 31-3-1926 regarding the Baderhalli -- case, I have dealt with the point at issue. For facility of reference I quote the para in full.

"As regards the Kayamguttadar's claim for refund and remission of gutta in respect of lands already acquired from his village, it is necessary to explain the relation between the Kayamguttadars and Government and the procedure that was --- followed in the past in compensating Kayamguttadars when land in their villages were acquired under the Land Acquisition -- Act. The Kayamguttadars collect kandayam in their villages and pay a fixed portion thereof to Government as gutta. When a land is acquired from a Kayamgutta village, the Kayamguttadar is compensated for loss of revenue by paying him 30 times the

full assessment payable on ~~the~~ that land. (This rate is not fixed by any rule or law but is the one at which compensation for loss of revenue is generally estimated.) As a portion of the revenue collected from the village is due to Government in the shape of gutta, it follows that the Kayamguttadar is really entitled only to 30 times (the assessment minus the portion due to Government) instead of 30 times the full assessment. The practice hitherto has, however, been to pay 30 times the full assessment (including the portion due to Government) and continue to collect from the Kayamguttadar the full amount of gutta due by him to Government irrespective of the acquisition. In as much as the Kayamguttadar has been paid 30 times the full assessment for past acquisitions, he has absolutely no right to claim remission or refund of gutta on account of such acquisitions. In future acquisitions, if the Kayamguttadar so wants, we shall pay him only 30 times (the assessment minus the portion due to Government) and allow him a proportionate remission in the gutta payable to Government.

2. In his petition under reference the Kayamguttadar alludes to the opinion expressed by the Superintendent of Revenue Survey in Mysore in his letter No.2433 dated 4-5-1921 according to which the Kayamguttadar "is entitled to a proportionate reduction in the Jodi (gutta) amount payable by him to Government" and the reduction to be made should be "such proportion of the Jodi as the full (survey) assessment of the acquired portion bears to the full assessment of the whole of the Inam." This opinion appears to be based on the assumption that the Kayamguttadar has been paid only 30 times (the assessment minus the portion due to Government). As he was actually paid (vide para 1 above) 30 times the full assessment (including the portion due to Government), he has no valid claim to a reduction in gutta in the manner suggested by the Survey Superintendent. The point may be illustrated by supposing that, by a number of acquisitions, the whole village is acquired by Government. According to the existing procedure, the Kayamguttadar would receive the capitalised equivalent of the total sum he collects from his ryots and would have to continue to pay to Government the full gutta i.e. if the 30 years' purchase is correct, he would be in exactly the same position as if there had been

no acquisition. The rate of 30 years' purchase seems to be extremely liberal. If the Kayamguttadar's contention is accepted, he would, if the whole village were acquired, get the capitalised equivalent of his full previous income and, at the same time, be exempt from all payment out of it to -- Government and would be better off by the whole of this latter sum.

3. There is moreover a practical difficulty in applying the Superintendent's formula to the Land Acquisition cases in the Station. According to the formula, the reduction to be made in the gutta should bear the same proportion as the full assessment of the acquired portion bears to the full assessment of the entire village. Though the Kayamgutta villages of the Station have been surveyed they have not been settled; and, unless settlement rates have been introduced into these villages, it will not be possible to know the actual assessment on each survey field. It is clear that, in the absence of information regarding assessment, it is impossible to carry -- out the Superintendent's formula. The Kayamguttadars levy their own assessment in their villages and it is unsafe in the extreme to depend on their figures for the purpose of calculating the refund claimed by them. An instance was recently brought to my notice in which the Kayamguttadar demanded from his tenant an absurdly high rate of assessment, and I had to interfere on the latter's behalf and fix a reasonable rate in consultation with the Survey Superintendent in Mysore. It was doubtless because of this difficulty that the simpler -- method of compensating for the whole ~~of xxx~~ revenue and leaving the gutta untouched was resorted to.

4. In April 1921, the Station Deputy Collector referred this question to the Deputy Commissioner, Bangalore District, and asked for information as to the procedure followed in the Mysore Province when lands in Inam villages were acquired. I

Enc.I & II enclose a copy of the reference and of the reply thereto. It will be seen that the Deputy Commissioner's reply does not speak of the remission of gutta as now claimed by the petitione

and shows that the procedure followed, in some parts of Mysore at any rate, is identical with that followed in the Station and different from that advocated by the Superintendent of Revenue Survey.

5.It will be seen from the above that the Kayamguttadar's claim for a reduction of the gutta is inadmissible. Apart from its actual merits, he urges that he was given a promise in March 1913 that the matter would be gone into when settlement was introduced in the village. He further complains -- that this settlement is being unduly delayed and that the final settlement of his claims is being avoided thereby. That his alleged grievances in this respect are imaginary will be clear from a brief review of what actually occurred. Acquisition in his village began in 1903. The earliest case, of which I have been able to trace the records, shows that 1 acre 4817 Sq. yards and 4 Sq. ft. or nearly 2 acres of land were acquired and that the then Kayamguttadar of the village was compensated by a payment of 30 times the assessment payable by the ryots to the land owner. This compensation was duly accepted by the Kayamguttadar. (Vide copies of Mr.Lloyd's award dated 24-9-03, Kayamguttadar's statement dated 8-9-03 and his letter dated 31-10-03). Enc.III, IV & V
It will be perfectly clear from these enclosures that the Kayamguttadar accepted the Collector's award and that he and his successors-in-title are estopped from making any further claim for the land so acquired. If the proceedings in all later acquisitions were strictly in accordance with the Act, we could simply have told the petitioner that he was estopped from making any claim now. But the irregularities referred to in para 4 of my letter No.4335/25 dated 31-3-1926 also occurred in some of the old Land Acquisition cases in this village, and a mere assertion that the land acquisition was a final settlement might not entirely meet the case. The --- Kayamguttadar has not however raised the question of these irregularities, and, for the reasons given in paras 1 & 2 above, I do not think that they affect the merits of the case. It was not till some time about 1912 (records are not complete) that the proprietor raised the question of a reduction in the gutta. It is true that, in

this office letter No.1128 dated 20th March 1913, he was informed that the question of remission of gutta in respect of lands acquired for public purposes could not be taken up until the settlement was introduced in the village. This letter is no doubt unfortunate, in that it gave the proprietor some hope that his claim would be recognised, instead of telling him -- once for all that it was inadmissible. The letter in question appears to be responsible for the bulk of the long and futile correspondence which has since ensued. There has been a long delay regarding the introduction of settlement but this has been due to a large extent to the Kayamguttadar himself. --- Arrangements for the introduction of settlement rates are -- however almost complete and a reference on the subject (copy enclosed) has been pending with the Kayamguttadar since 26-3-27

Enc.VI

6. In brief it will be seen that the main ground of the petitioner's complaint is invalid and that he has been endeavouring to withdraw from an arrangement accepted by his predecessors-in-title by putting in vague and indefnite claims at long intervals.

I have the honour to be,

Sir,

Your most obedient servant,

Collector.

T.C.N.

DESPATCH
23 MAY 1927

Enc. I

Letter No.569 dated 27th April 1921 from the Station Dy. Collector, to the Deputy Commissioner, Bangalore District.

In the matter of acquisition of lands in Kayamgutta, Jodi and Sarvamanya villages in the Station, the practice is to pay the Inamdars for loss of revenue and the tenant for the land. The Inamdars are dissatisfied with the procedure but claim a proportionate deduction in the revenue payable by them annually. As there are no definite rules on the subject, I have the honour to request that you will kindly let me know the procedure followed in the Mysore Province in the case of acquisitions of lands in Inam villages.

Enc. II.

Letter No.D. Dis. 1718/20-21 dated 1st June 1921 from the Deputy Commissioner, Bangalore District, to the Deputy Collector, C. & M. Station, Bangalore.

With reference to your letter No.569 dated 27th ultimo requesting to intimate the procedure followed in connection with the payment of compensation for acquisition of lands in Inam villages, I have the honour to state that in my opinion the Inamdar is entitled to compensation for loss of revenue, that is, kandayam due to him on the land, and the tenant, the man who is in actual possession of the land, for the value of the land. This was the procedure followed under my instructions in certain recent cases in t is District.

"True copies"

Collector.

T.C.N. 23/5

Enc. III.

Award dated 24-9-03 of Mr. Lloyd, Collector, C. & M. Station, Bangalore. Acquisition of a portion of S. No. 111 Doddigunta.

No objection is taken to the measurement of 1 acre 4817 Sq. yds 4 Sq. ft. The tenant of the land values his title at Rs.300/- per acre but has no documents in his favour. I award therefore at the rate fixed by the Amildar after enquiry viz.Rs.225/- an acre with 15 percent on account of compulsory acquisition total Rs.516-4-9. The superior holder is willing to take any sum the investment of which will give the same return as the kandayam received viz.Rs.2-9-0. The simplest method of compensation is I find to pay 30 times this kandayam plus 15 per cent for compulsory acquisition. This works out to Rs.88-6-6. The total amount to be paid by the Municipality is therefore Rs.604-11-3.

Enc. IV

Statement of A. Narayanaswamy Mudaliar & Sons dated the 8th September 1903 before the Amildar.

I have known Shikari Muniyappa's land. He is paying us a kandayam of Rs.5-2-0. I am willing to accept any capital the Collector will allow me to realise a sum equal to that of the assessment that will now be lost or would be even willing to have this kandayam reduced from my pesh kush.

Enc. V

Letter dated 31-10-1903 from Messrs. A. Narayanaswamy Mudaliar & Co. to the Collector, C. & M. Station, Bangalore.

We beg to acknowledge your letter No.2780 dated 29-10-03 forwarding us Rs.88-6-6 being the compensation amount due on S. No.111 in Doddigunta village for which we thank you.

As desired we enclose herewith a duly stamped receipt for the same.

"True copies"

Collector.

Enc.VI

Memorandum No.4278/D-25 dated 26-3-1927 from the Collector C. & M. Station, Bangalore to Mr. A.M. Ramamurthy Mudaliar, Kayamguttadar of Doddigunta.

Settlement rates--introduction of--Kayamgutta Doddigunta--Your letter dated 11-8-1926.

A sum of Rs.25/- will be a fair remuneration to a shanbogue for the preparation of settlement accounts.

2.The phut-phani work in your village will take about 3 -- months and the measurer will have to be paid at Rs.30/- per mensem. The amount Viz. Rs.90/- must be deposited in this office before work can be taken up. You should also arrange for necessary labour for measurement. On hearing from you, I shall address the Superintendent, Mysore Revenue Survey, to depute a competent measurer for the work.

"True copy"

Collector.

T.C.N.

23/5

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 6046 / 25-1926 Enc. 1

From

Major K. A. G. Evans Gordon,

SECRETARY TO THE RESIDENT IN MYSORE.

To
Through

Mr. A. M. Ramamurthy,

K. Shankara Narayana Rao, Esq., B.A., B.L.,
Advocate,
Bangalore City.

Dated Bangalore, 28th June 1927

Subject.

Kayamgutta Deddigunta - Claim for remission and refund of gutta due to Government.

Sir,

8C. 1. I am directed to reply to your petition, dated the 16th January 1926.

2. As regards the Kayamguttadar's claim for refund and remission of gutta in respect of lands acquired from his village, it is ascertained that when a land is acquired from a Kayamgutta village, the Kayamguttadar is compensated for loss of revenue by paying him 30 times the full assessment payable on that land, this rate being one at which compensation for loss of revenue is generally estimated. As a portion of the revenue collected from the village is due to Government in the shape of gutta, it follows that the Kayamguttadar is entitled only to thirty times the assessment from which the portion due to Government has been deducted, and not to thirty times the full assessment. The practice, it is reported, has, however, been to pay thirty times the full assessment (including the portion due to Government) and to continue to collect from the Kayamguttadar the full amount of gutta due by him to Government, the payment of which, consequently, remains unaffected by the acquisition. It will be

seem, therefore, that your prayer for refund and remission of gutta, ignores the fact that what is claimed is simply that portion of the revenue due to Government which was not, but might have been, deducted in estimating the compensation. If this view of the case had been taken earlier, it would have been unnecessary to assure the Kaymguttadars, as appears to have been done, that the question of compensation would be considered when settlement was introduced in the village.

2. In the light of the above remarks, the reference to the statement of the Superintendent of Revenue Survey in Mysore that the Kaymguttadar was entitled to a proportionate reduction in the Jodi (gutta) amount payable by him to Government can only be explained by assuming that that opinion did not take into consideration the fact that it has been the practice, at any rate in the Station, to pay the Kaymguttadar thirty times the full assessment from which the portion due to Government has not been deducted. As a matter of fact, it has been ascertained from the Revenue authorities in Mysore that in connection with the payment of compensation for acquisition of lands in Inam villages, the Inamdar is entitled to compensation for loss of revenue, that is, Kandayam <u>due to him</u> on the land, and this cannot obviously include the share of the Government, if any, in that assessment.

3. On the facts, it is ascertained that acquisition in the village of Doddigunta began in 1903. The earliest case, of which the Collector, Civil and Military Station, is able to trace the records, shows that 1 acre 4017 square yards and 4 square feet or nearly 2 acres of land were acquired and that the then Kaymguttadar of the village was compensated by a payment of thirty times the assessment payable by the ryots to the land owner. This compensation, as will be seen from the enclosed copies of Mr. Lloyd's award dated 24th September 1903, and the Kaymguttadar's letter dated 31st October 1903, was accepted by the Kaymguttadar, which would, it seems, debar his successors-in-title from advancing any further claim in respect

Enc. 3+5 Pub.

respect of the land.

4. With regard to your application for the introduction of survey and settlement in the village, of which you make a reference in your petition, it is understood that arrangements for the introduction of settlement rates are almost complete and that the delay, if any, has been due to the Kayamguttadar himself, with whom a reference (copy enclosed) on the subject has been pending since 26th March 1927.

I have the honour to be,

Sir,

Your most obedient servant,

Major.

SECRETARY TO THE RESIDENT.

9

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 5/8/1927

No. 7988 ENCLOS. 1

Sl. 8

A copy of the marginally* noted letter, ~~with enclosure~~, is forwarded to the... Collector, C. M. Station, Bangalore, for information with ref. to his letter No. 402 S. 26, dated the 21st May, 27

6046

*No. 25-M dated ~~from the~~ 28th June 27, to Mr. A. M. Ramaswamy, Bangalore.

Sl. 7

S/K Evans Gordon
Secretary to the Resident.

9/
2.8.27

P. O. 759, R. O. No. 26 —2-10-1925.—3,000—R. P. B.

No.4278/D-25.

Office of the Collector,
Civil and Military Stn., Bangalore.
Dated the 13th September 1927.

From

T. B. Russell, Esquire, I.C.S.,
C o l l e c t o r,
C & M Stn., Bangalore.

To

The Secretary to the Resident
in Mysore, Bangalore.

Sir,

Settlement rates - Introduction of - Kayam Gutta - Doddigunta-

I enclose copies of correspondence noted in the margin* which passed between me and the Pay & Accounts Officer, Bangalore and request that the Resident's sanction asked for by the latter may kindly be obtained and communicated to me at an early date.

The measurer joined duty on 25-8-27 and is going on with the work.

I have the honour to be,
Sir,
Your most obedient servant,

C O L L E C T O R.

14 SEP 1927

*
1. This Office No. 4278-D-25 dated 6-8-27.
2. Pay & Accounts Officer's No. P.B. 15-103 dated 22-8-27.

Collector's Office No. 4278-D-25 dated 6-8-27.

Settlement Rates - Introduction of - Kayam Gutta - Doddigunta.

At the instance of the Kayam Guttadar of Doddigunta it is proposed to introduce settlement rates into his village and in this connection he has deposited with the Collector Rs90/- towards 3 months' pay of a measurer whose services are required for doing what is known as "Phut Phani" work. The Revenue Department will supervise the measurer's work and ultimately introduce the Settlement rates. In the circumstances, could you kindly suggest to what head of account the amount should be credited to be drawn once in a month for payment to the measurer.

Pay & Accounts Officer's No. P.B. 15-103 dated 22-8-27.

The sum of Rs90/- deposited by Kayam Guttadar of Doddigunta may be credited in the Mysore Assigned Tract accounts under 22 General Administration, E Dt. Administration, General Establishment Collector's Office, Establishment charges recoverable from other Governments, Departments etc., and the monthly payment to the measurer, debited to "Pay of Establishment", Temporary Establishment under 22 General Administration, E District Administration, General Establishment. The entertainment of the establishment would require the sanction of the Hon'ble the Resident.

---:0:---

" C O P Y "

SHERISTADAR, COLLECTOR'S OFFICE.

14/9

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 9616 DATED BANGALORE, 20/9/27.

FROM

SECRETARY TO THE RESIDENT IN MYSORE.

To The Collector, C.& M. Station, Bangalore

puc 31. 10

Reference ~~his~~ ~~letter~~ No4273/D/25, dated the 13th September, 1927.

Subject. Introduction of settlement rates in the Kayamgutta of Doddigunta.

Sanction is conveyed to the entertainment of a measurer for three months at Rs.30 per mensem in connection with the above work.

2. The expenditure will be met from the sum of Rs.90/- deposited for the purpose by the Kayam Guttadar of Doddigunta and credited in the Mysore Assigned Tract accounts under " 22 General Administration, E Dt. Administration, General Establishment, Collector's Office, Establishment charges recover-

able from other Governments, Departments etc."

17.9.27

Secy. to Resdt.

No. 9617-18

Copy to the Pay and Accts. Officer
Audit Officer, P & A Office,

C.& M. Station, Bangalore, for information.

Secy. to Resdt.

16/9

16. 9. 27

J K

12

Telegraphic Address: Bangacts, BANGALORE.

GOVERNMENT OF INDIA
The Pay and Accounts Office
BANGALORE.

Telephone : Office 47

Ref. No. P.B.3-2147.

RESIDENT'S OFFICE, BANGALORE. Register No. 8468 Date of Receipt 24/9/27

22nd September 1927.

Enclosures

To

The Collector,
Civil & Military Station,
BANGALORE.

Sir,

S. 11

I have the honour to invite a reference to the Resident's Proceedings 9616/25-1926, dated 20-9-1927, sanctioning the entertainment of a measurer for 5 months on Rs.30/- per mensem for the introduction of settlement rates in the Kayamgutta of Doddigunta and to state that under rule 232 of Civil Account Code Vol.I the sanction has effect from 20-9-27, the date of the orders conveying the sanction. As the measurer was entertained from 25-8-1927, I would request you to address the Hon'ble the Resident to amend the sanction as taking effect from 25-8-1927.

I have etc.,
(sd) S. Kuppuswami,
Pay & Accounts Officer.

No.P.B.3-2148, dated 22-9-27.

Copy to the Secretary to the Hon'ble the Resident in Mysore, Bangalore, for information.

S Kuppuswamy

SHN.

PAY AND ACCOUNTS OFFICER
BANGALORE

May wait communication from collects ?

26. 9. 27

No. 4278-D-25. Encl. 1

Office of the Collector,
Civil & Military Station, Bangalore.
Dated 24th Septr., 1927.

From

T. B. Russell Esquire, I. C. S.,
Collector, C & M Station, Bangalore.

To

The Secretary to the Hon'ble the Resident
in Mysore, Bangalore.

Sir,

Settlement Rates - Introduction of - Kayamgutta Doddigunta
Your No. 9616/25-1926, dated 20-9-1927.

I enclose a copy of letter No. P.B.3-2147, dated 22-9-1927 from the Pay & Accounts Officer, and requests that the Hon'ble the Resident's sanction may kindly be amended as taking effect from 25-8-1927 - the date on which the Surveyor commenced his work.

I have the honour to be,
Sir,
Your most obedient servant,

COLLECTOR.

RESIDENT'S OFFICE,
BANGALORE.
No. 8580
28.9.27

Letter No. P.B.3-2147, dated 22nd September 1927, from the Pay & Accounts Officer, Bangalore, to the Collector, Civil & Military Station, Bangalore.

I have the honour to invite a reference to the Resident's Proceedings 9616/25-1926, dated 20-9-1927, sanctioning the entertainment of a measurer for 3 months on Rs. 30/- per mensem for the introduction of settlement rates in the Kayamgutta of Doddigunta and to state that under Article 232 of Civil Account Code Volume I the sanction has effect from 20-9-1927, the date of the orders conveying the sanction. As the measurer was entertained from 25-8-1927, I would request you to address the Hon'ble the Resident to amend the sanction as taking effect from 25-8-1927.

---:oOo:---

"C O P Y"

AVR 24.9.27

SHERISTADAR. 24/9

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 10024 [illegible] Dated Bangalore, [illegible] Sept. 1927.

From Major K.A.G. Evans Gordon,
SECRETARY TO THE RESIDENT IN MYSORE.

To The Collector,
Civil & Military Station,
Bangalore.

Poc

Reference ~~this~~ your ~~memo.~~ letter No. 4278-D- dated the 25, 24th September 1927.

Subject:
Introduction of settlement rates in the Kayamgutta of Doddigunta.

S.11

The sanction conveyed in the memorandum from this office No.9616, dated the 20th September 1927, should be regarded as taking effect from 25th August 1927, the date on which the Surveyor entered upon his work.

Sd. K.Evans Gordon,
Major.
SECRETARY TO THE RESIDENT.

No.

No. 10042-43

Copy to the

Pay & Accounts Officer, Bangalore, with reference to the Audit Officer, Pay & Accounts Office, Bangalore, [redacted] to his endorsement No. P.B.3-2148, dated the 22nd September 1927 in continuation of the endorsement from this office No.9618, dated the 20th September 1927.

S.12.

S.11

30.9.27

Major.

SECRETARY TO THE RESIDENT.

SVR
29/9/27

(57

No.4278/D/25

Office of the Collector,
Civil and Military Station, Bangalore,
Dated 2nd December 1927.

From

T. B. Russell Esquire, I.C.S.,
Collector,
Civil & Military Station, Bangalore.

10646
To 6/12/27

The Secretary to the Resident in Mysore,
Bangalore.

Sir,

Settlement rates - introduction of - Kayam Gutta - Doddigunta - Your No. 10041-25-1926 Dated 30-9-27.

The Surveyor was sanctioned for 3 months from 25-8-27 to 24-11-27 but it was not possible to complete the Phut Phani work by 24-11-27. As it may take a month more to complete the work, I wrote to the Kayam Guttadar to deposit a further sum of Rs. 30/-. He has deposited the amount. As the offices will be closed from 23-12-27 to 2-1-28 on account of Xmas and New Year Holidays and it will not be possible to watch and check the Surveyor's work during the above holidays, I have reappointed him from 1-12-27 to 22-12-27 and again from 3-1-28 to 10-1-28. I request that the Resident's sanction may kindly be obtained for his reappointment and communicated to me.

Please see sls 10 & 11.
Draft sulb.
8.12.27 9/12 12.12.27

I have the honour to be
Sir,
Your most obedient servant,

DEC1927

COLLECTOR.

3/12.

16

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 12583 Dated Bangalore, 14th Dec., 1927.

From

Major K.A.C. Evans Gordon,

SECRETARY TO THE RESIDENT IN MYSORE.

To

The Collector,

Civil and Military Station, BANGALORE.

PWC

Reference his letter No. 4278/D/25, dated the 2nd December, 1927.

Subject.

Introduction of ~~xxx~~ settlement rates in the Kayamgutta of Doddigunta.

Sanction is accorded to the re-appointment of a measurer from 1st to 22nd December, 1927, and again from 3rd to 10th January, 1928, in connection with the above work.

2. The expenditure will be met from the sum of Rs.30/- deposited for the purpose.

for SECRETARY TO THE RESIDENT.

No. 12584-85

Copy to the Pay and Accounts Officer,
Audit Officer, Pay & Accounts Office,
Civil and Military Station, Bangalore, for information.

for SECRETARY TO THE RESIDENT.

14/12/27

No. 4278-D-25.

Office of the Collector,
Civil and Military Station, Bangalore.

Dated 18th September 1929.

FROM

C. H. Cooke, Esq., M. C., I. C. S.,

COLLECTOR, CIVIL AND MILITARY STATION,

BANGALORE,

To

The Secretary to the Resident

in Mysore, BANGALORE.

SIR,

Introduction of settlement rates into the Kayamgutta Village of Doddigunta - Correspondence ending with your No. 12583 dated 14-12-27.

S.& R.

---:0:---

I request that the enclosed notice with its enclosure may kindly be published in the Mysore Residency Orders and 50 copies thereof supplied to me at an early date.

2. The Manager, Residency Press, may kindly be asked to take instructions from this office as to how the register should be printed.

I have the honour to be,
Sir,
Your most obedient servant,

14.9.29

COLLECTOR.

18

[R.O.106(a).]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 3/10/1929

No. 8412 Enclos. 2

A copy of the marginally* noted letter, with enclosures in original is forwarded to the Manager, Residency Press, for compliance.

*No. 4278-D-25

dated the 18th Sept., 1929

from the Collector, C & M Station, Bangalore.

2

No. 8413

for Secretary to the Resident.

1212—16-8-1929—5,000—RPB.

Copy to the Collector, C & M Station, Bangalore.

27.9.29.